

**2003 DRAFTING REQUEST****Bill**Received: **09/25/2002**Received By: **tfast**Wanted: **Today**

Identical to LRB:

For: **Jon Richards (608) 266-0650**By/Representing: **Self**This file may be shown to any legislator: **NO**Drafter: **tfast**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**Extra Copies: **ARG, PJH, MES - 1**Submit via email: **YES**Requester's email: **Rep.Richards@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given.

---

**Topic:**

Parking in city of Milwaukee

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tfast 09/26/2002	kgilfoy 09/26/2002					Local
/1			pgreensl 09/26/2002		lemery 09/26/2002		Local
/2	tfast	kgilfoy	jfrantze		lkunkel		Local

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/3	tfast 12/01/2002	kgilfoy 12/02/2002	rschluet 12/03/2002	_____	lemery 12/03/2002		Local
/4	tfast 12/18/2002	kgilfoy 12/18/2002	chaskett 12/19/2002	_____	amentkow 12/19/2002	amentkow 01/07/2003	

FE Sent For:

<END>

AA  
intro.

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12/19/2002 10:23:43 AM

Page 2

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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12/03/2002 02:33:09 PM

Page 1

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/1			pgreensl 09/26/2002		lemery 09/26/2002		Local
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12-12/18  
tmg12/18  
tmg

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/1		13-12/2 RMG	pgreensl 09/26/2002		lemery 09/26/2002		Local
/2	tfast	kgilfoy	jfrantze		lkunkel		


  
12-2-2

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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<END>



09/26/2002 01:40:09 PM

Page 1

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9/27 Jb/cl  
9/27

09/26/2002 01:40:09 PM

Page 2

FE Sent For:

**<END>**

09/26/2002 10:03:02 AM

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FE Sent For:	1- 9/26 Kmg	9/26 pg	9/26 <END> pg 1/5				

**Fast, Timothy**

---

**From:** Vasby, Tara  
**Sent:** Monday, September 23, 2002 3:08 PM  
**To:** Fast, Timothy  
**Subject:** Authority of City to Limit parking in designated areas

Tim,

The City of Milwaukee insists that they do not have the authority to limit parking and want a statute to clarify. I've attached a copy of a Legislative Council memo that was prepared in May 2001 on this issue.

If you have questions, please feel free to contact Rep. Richards directly at his law office 414/225-2920.

Thank you!



LEg Council Memo  
on East Side ...

Tara J. Vasby  
Leg. Assistant  
Rep. Jon Richards

Fast, Timothy

---

**From:** Vasby, Tara  
**Sent:** Tuesday, September 24, 2002 2:27 PM  
**To:** Fast, Timothy  
**Subject:** Parking Memo--Adobe format



LEg Council Memo  
on East Side ...

Tim,  
Hope this works! If it doesn't, give me a call and we'll do the paper route. Thanks!

Tara Vasby  
6-0650



---

## WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

---

TO: REPRESENTATIVE JON RICHARDS AND SENATOR RICHARD GROBSCHMIDT

FROM: Don Dyke, Senior Staff Attorney

RE: Authority of City to Limit Parking in Designated Areas to Resident Permit Holders

DATE: May 18, 2001

You ask whether a city may restrict parking on public streets in a designated area within the city to residents of the area who have acquired a permit.

Wisconsin's Motor Vehicle Code, which includes parking regulations, is required to be uniform in operation throughout the state. [s. 349.03 (1) (intro.), Stats.; the Motor Vehicle Code is found in chs. 341 to 348, Stats.] Generally, no local authority, which includes a city council, may enact or enforce any traffic regulation unless the regulation: (1) is not contrary to or inconsistent with the Motor Vehicle Code; or (2) is expressly authorized by ss. 349.06 to 349.25, Stats., or another statutory provision. [s. 349.03 (1), Stats.]

Under s. 349.13 (1e) (a), Stats., local authorities may, "within the reasonable exercise of the police power," prohibit, limit the time of or otherwise restrict the stopping, standing or parking of vehicles on the streets under their jurisdiction beyond the prohibitions, limitations or restrictions imposed in the Motor Vehicle Code (see generally, ch. 346, Stats.). The statutory expression of a city's police power is found in s. 62.11 (5), Stats.:

POWERS. Except as elsewhere in the statutes specifically provided, the council shall have the management and control of the city property, finances, highways, navigable waters, and the public service, and shall have power to act for the government and good order of the city, for its commercial benefit, and for the health, safety, and welfare of the public, and may carry out its powers by license, regulation, suppression, borrowing of money, tax levy, appropriation, fine, imprisonment, confiscation, and other necessary or convenient means. The powers hereby conferred shall be in addition to all other grants, and shall be limited only by express language.

Thus, by statute, cities have broad authority to regulate parking as long as the regulation is a reasonable exercise of the police power. Whether a particular parking regulation represents a reasonable exercise of police power by a city depends on the terms of the regulation, the purpose of the regulation and the effect of the regulation; or, more generally, whether the regulation is consistent with the city's authority to protect the health, safety and welfare of the citizenry through the exercise of the police power. Initially, the determination of the reasonableness of a particular parking regulation is determined by the city council, presumably with benefit of the advice of legal counsel. If an interested person disagrees with the city council's judgment and challenges the parking regulation, the appropriate forum is the courts.

Courts recognize that a city's police powers are broad and will intercede only when the exercise of that power is clearly unreasonable. Note that the Wisconsin Supreme Court upheld the reasonableness of a City of Milwaukee ordinance that restricted night parking on certain streets to persons who had obtained a special permit. [*City of Milwaukee v. Hoffman*, 29 Wis. 2d 193, 138 N.W.2d 223 (1965).] The ordinance in that case was challenged on the grounds that its primary purpose was to raise revenue rather than to promote the public welfare. The court disagreed, finding:

[T]he ordinance accomplishes important public goals which are consistent with the city's obligation under the police power to protect the health, safety and welfare of its citizenry. The charging of a reasonable fee does not corrupt the otherwise constitutional purposes of the ordinance. [*Hoffman*, 29 Wis. 2d at 199, 138 N.W.2d at 226.]

In addition to the general police power authority described above, local authorities may authorize persons whose residences abut a street in a zone where the time of parking is limited by official signs, markers or parking meters to park their vehicles in the street zone without regard to the time limits posted. [s. 349.13 (1g), Stats.] Depending on the particular parking regulation in question, this specific statutory provision may offer some support for the authority to enact the regulation.

It appears, then, that a city has general authority to restrict parking in a designated area to area resident permit holders; at least, state statutes do not preclude the exercise of that authority. However, whether a particular proposal in this regard is a reasonable exercise of the police power can only be determined at the local level and, ultimately, by the courts.

If you have any questions or need additional information, please contact me directly at the Legislative Council Staff offices.

DD:jal:wu;ksm

**Fast, Timothy**

---

**From:** Fast, Timothy  
**Sent:** Wednesday, September 25, 2002 6:24 PM  
**To:** Richards, Jon  
**Cc:** Vasby, Tara  
**Subject:** Drafting request on parking in Milwaukee

Greetings, Rep. Richards. Please feel free to give me a call or e-mail me re this request. I'm unsure how you'd like me to proceed. I'll try my best to get you a draft for your meeting and will make sure you get an electronic copy in case you're not in Madison. I think those are sent automatically now but better safe than sorry. Thanks for your help.

Timothy N. Fast  
Senior Legislative Attorney  
Legislative Reference Bureau  
Phone: (608) 266-9739

9/26 t/c Rep. Richards 9:05 am  
wants a bill giving 1st class cities authority to  
prohibit parking on streets to persons who  
reside on such streets (via parking permits).  
Needs for meeting 3:00 Fri(9/27). Indicated  
I'd do my best to get him a draft in time  
for his meeting.

TNF



2003

Date (time)  
needed

TODAY Thurs.  
9/26

LRB - 02541 1

TNF: KMG: —

BILL

Use the appropriate components and routines developed for bills.

AN ACT ... [generate catalog] *to repeal ... ; to renumber ... ; to consolidate and renumber ... ; to renumber and amend ... ; to consolidate, renumber and amend ... ; to amend ... ; to repeal and recreate ... ; and to create ...* of the statutes; relating to: *the parking of vehicles on highways in 1st class cities.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

*Analysis by the Legislative Reference Bureau*

If titles are needed in the analysis, in the component bar:

For the main heading, execute: ..... create → anal: → title: → head

For the subheading, execute: ..... create → anal: → title: → sub

For the sub-subheading, execute: ..... create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: ..... create → anal: → text

(Attached)

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION #.

CR; 349.13 (1K)

349.13 (1k) Notwithstanding subs. (1g) and (1j),  
the common council of any 1st class city may  
enact an ordinance that authorizes only persons  
whose residence <sup>✓</sup> abuts <sup>✓</sup> a highway or portion thereof  
under <sup>the city's</sup> ~~its~~ jurisdiction to park their vehicles on  
the highway. The ordinance may include a  
provision requiring such persons to obtain a  
parking permit from the city and pay a parking  
permit fee.

(END)

## Analysis

Current law, with certain exceptions, permits state and local highway authorities to prohibit or restrict the stopping, standing, or parking of vehicles on highways under their jurisdictions. This bill permits <sup>any</sup> first class cities (presently only Milwaukee) to enact an ordinance permitting only persons whose residence <sup>the city's</sup> abuts a highway (or any portion thereof) under its jurisdiction to park their vehicles on the highway. The ordinance may include a provision requiring such persons to obtain a parking permit from the city and pay a fee for the permit.

FE-L

## Fast, Timothy

---

**From:** Fast, Timothy  
**Sent:** Thursday, September 26, 2002 1:31 PM  
**To:** Vasby, Tara  
**Subject:** RE: Drafting request on parking in Milwaukee

Tara,

Thanks. I talked with Rep. Richards earlier today. I completed the bill draft and it should be out later today. The draft you'll get deals more specifically with the particular issue and addresses permission to require a parking permit and to charge a parking permit fee.

Please let me know if Rep. Richards would like a draft using the example suggested by Pat McDonnell. It is more general authority but appears (at first glance) to be OK. The example is not limited to 1st class cities, however, and I was under the impression from Rep. Richards that he wanted this authority for 1st class cities only.

I have to leave in a couple of minutes for a medical appointment and won't be back today. But I could work on an alternative draft tomorrow morning. Thanks for your help.

Keep the faith, Tim

-----Original Message-----

**From:** Vasby, Tara  
**Sent:** Thursday, September 26, 2002 1:20 PM  
**To:** Fast, Timothy  
**Subject:** RE: Drafting request on parking in Milwaukee

Tim,

I am forwarding a copy of a memo that was done by the Milwaukee City Attorney regarding this request. There is included an example of possible legislation. It seems to only need to include "To prohibit" in a portion of the statutes.

The Attorney's name is Pat McDonnell and they can be reached at 414/286-2601.

Again, if you can't get something together before tomorrow, no worries on my end. I think just letting them know that we have something in the works will be sufficient.

Thanks again!

Tara Vasby

Leg. Assistant

Rep. Jon Richards

<< File: City Atty Memo on Parking 1-02.pdf >>

01/26/2002

03:28

CITY ATTORNEY → 916082823619

NO.486

0001

200 East Wells Street, Room 800  
Milwaukee, WI 53202  
(414) 286-2501  
FAX (414) 286-8550

UWM  
PARKING

City of Milwaukee  
City Attorney

# Fax

To: Jon Richards

From: Pat McDonnell

Fax:

Pages:

Phone

Date: January 25, 2002

Re:

CC:

☐ Urgent☐ For Review☐ Please Comment☐ Please Reply☐ Please Recycle

**COMMENTS:** Per your conversation with Linda Burke, attached is a memo stating the City Attorney's position on the issue and a draft Amendment to the statute in question.

## CONFIDENTIAL TRANSMISSION

The information contained in this facsimile transmission is intended for the personal and confidential use of the person(s) designated above. This transmission may be an attorney-client communication, and as such is privileged and confidential. If you are not the designated recipient of this transmission or the agent responsible for delivering it to the designated recipient, you are hereby notified that any reading, review, dissemination distribution, or copying of this transmission is strictly prohibited. If you have received this transmission in error, please inform us immediately by telephone and return the original to us by mail at our expense. Thank you.

# MEMORANDUM

OFFICE OF THE CITY ATTORNEY  
ROOM 800 - CITY HALL

TO: GRANT F. LANGLEY  
City Attorney

FROM: PATRICK B. McDONNELL  
Special Deputy City Attorney

DATE: October 29, 2001

RE: EAST SIDE PARKING ISSUES

This memo is offered in response to the memorandum prepared by the east side residents advocating for a program in which parking would be prohibited at certain times, except for adjacent property owners.

The east side property owners' argument is predicated upon the provisions of sec. 349.13(1e)(a), Stats. Specifically, they argued that abutting residents may be excepted from parking prohibitions under the argument that such a classification would withstand equal protection scrutiny because it would be a reasonable exercise of the police power, authorized under sec. 349.13(1e)(a). That provision allows municipalities to restrict or prohibit the stopping, standing or parking of vehicles "within the reasonable exercise of the police power."

When last we met on this issue, a question arose as to whether or not the police power language in sec. 349.13(1e)(a), Stats., was in existence at the time of the Supreme Court's 1970 decision in Madison v. Reynolds, 48 Wis. 2d 156. As you recall, the Reynolds case was the case in which the Supreme Court rejected the argument that the general sec. 62.11(5) police power authorized a limitation on the use of the public right-of-way. Specifically, the court held that such a limitation was inconsistent with the provisions of sec. 349.03(2) which provided for the "free use of all highways."

My investigation indicated that the language in sec. 349.13 has been in existence since 1957. However, the sec. 349.13 police power language did not relate to "driving upon" the right-of-way. That may be why the city of Madison never argued sec. 349.13 in the Reynolds case (I checked the Supreme Court briefs), but relied upon the general police power authority in sec. 62.11(5).

However, the real answer to the east side residents' proposal is provided by sec. 349.13(1g), Stats. While sec. 349.13(1e)(a) allows a municipality to "prohibit or limit" parking, sec. 349.13(1g) only allows municipalities to except abutting owners from regulations "where the time of parking is limited" but not regulations that "prohibit" parking. Therefore, in my opinion, the specific statutory provisions of sec. 349.13(1g), applying to only situations in which parking is "time limited" would govern over any argument that the general "reasonable exercise of the police power" provisions of sec. 349.13(1e)(a) would permit an abutting resident's exemption from situations in which parking is prohibited.

PBMcD:dms  
46693

cc: Linda Burke

**Amendment to sec. 349.13(1g), Stats.**

(1g) The department, with respect to state trunk highways outside of corporate limits, and local authorities, with respect to highways under their jurisdiction including state trunk highways or connecting highways within corporate limits, may authorize persons whose residences abut a highway in a zone where the time of parking is limited or prohibited by official signs, markers or parking meters to park their vehicles in the highway zone without regard to the time limits or prohibitions posted.

PBMcd:dms  
10/30/01

1033-2001-3250  
46723



**Fast, Timothy**

---

**From:** Vasby, Tara  
**Sent:** Thursday, September 26, 2002 4:41 PM  
**To:** Fast, Timothy  
**Subject:** RE: Drafting request on parking in Milwaukee

Tim,  
A minor change from the City Attorney's office. As follows:  
*On page two, line 1, the first sentence should read, "on such highway or portion thereof abutting such person's residence, without regard to prohibitions or time limits posted."*

If you can get the draft back to me (electronic is perfect!) before, say, 1:30pm, that would be groovy.

Thanks!

Tara Vasby  
Rep. Jon Richards



State of Wisconsin  
2003 - 2004 LEGISLATURE

2 (Redraft  
LRB-0254/1 makes  
TNF:kmg:pg has been  
run)

TODAY  
FRI. 9/27  
1:00 pm

2003 BILL

- 1 **AN ACT** *to create* 349.13 (1k) of the statutes; **relating to:** the parking of vehicles  
2 on highways in 1st class cities.

---

***Analysis by the Legislative Reference Bureau***

Current law, with certain exceptions, permits state and local highway authorities to prohibit or restrict the stopping, standing, or parking of vehicles on highways under their jurisdictions. This bill permits any first class city (presently only Milwaukee) to enact an ordinance permitting only persons whose ~~residence~~ <sup>residences</sup> abut a highway (or any portion thereof) under the city's jurisdiction to park their vehicles on the highway. The ordinance may include a provision requiring such persons to obtain a parking permit from the city and pay a fee for the permit.

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

- 3 **SECTION 1.** 349.13 (1k) of the statutes is created to read:  
4 349.13 (1k) Notwithstanding subs. (1g) and (1j), the common council of any 1st  
5 class city may enact an ordinance that authorizes only persons whose residences  
6 abut a highway or portion thereof under the city's jurisdiction to park their vehicles

or portion thereof abutting their residences, regardless of any prohibitions or time limitations on parking

**BILL**

1 on ~~the highway~~. The ordinance may include a provision requiring such persons to  
2 obtain a parking permit from the city and pay a parking permit fee.

3 (END)

such highway or portion thereof abutting their  
~~persons~~ residences, without regard to prohibitions  
or time limits posted

Fast, Timothy

---

**From:** Rep.Richards  
**Sent:** Friday, November 29, 2002 2:35 PM  
**To:** Fast, Timothy  
**Subject:** Change to DRAFT LRB 0254/2-Parking permits

Tim,

Could you please make the following change to the parking permit bill (LRB 0254/2)?

Page 2, Line 1, after the word 'jurisdiction' add "**, or commercial enterprises providing services to such residences,**"

This is at the request of Jim Walrath from the East Side Transportation Management folks in Milwaukee.

Thanks!

Tara J. Vasby  
Leg. Assistant  
Rep. Jon Richards



D-NOTE

State of Wisconsin  
2003 - 2004 LEGISLATURE

3(  
LRB-0254/  
TNF:kmg:jf

WANTED SOON  
turned in 12/1

**2003 BILL**

and commercial  
enterprises providing  
services to these  
residences,

- 1 **AN ACT to create** 349.13 (1k) of the statutes; **relating to:** the parking of vehicles  
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***Analysis by the Legislative Reference Bureau***

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For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

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5 class city may enact an ordinance that authorizes only persons whose residences

with  
abutting  
residences

**BILL****SECTION 1**

- ① abut a highway or portion thereof under the city's jurisdiction to park their vehicles  
2 on such highway or portion thereof abutting their residences, without regard to  
3 prohibitions or time limits posted. The ordinance may include a provision requiring  
④ ~~such~~ persons to obtain a parking permit from the city and pay a parking permit fee.

5

(END)

D-NOTE

, or commercial enterprises providing services  
to such residences,

whose residences abut the highway or portion  
thereof

LRB-0254/3dn

TNF: Km g:

### DRAFTER'S NOTE

This redraft permits "commercial enterprises providing services to such residences" to also park their vehicles, regardless of any posted time limit or prohibition, if an ordinance allowing such parking has been enacted.

This redraft does <sup>italicize</sup> (not) require commercial enterprises to obtain any required parking permit.

TNF

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0254/3dn  
TNF:king.rs

December 2, 2002

This redraft permits "commercial enterprises providing services to such residences" to also park their vehicles, regardless of any posted time limit or prohibition, if an ordinance allowing such parking has been enacted. This redraft does *not* require commercial enterprises to obtain any required parking permit.

Timothy N. Fast  
Senior Legislative Attorney  
Phone: (608) 266-9739  
E-mail: [tim.fast@legis.state.wi.us](mailto:tim.fast@legis.state.wi.us)



## Fast, Timothy

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**From:** Vasby, Tara  
**Sent:** Wednesday, December 18, 2002 9:43 AM  
**To:** Fast, Timothy  
**Subject:** More changes to LRB 0254/3



0357D000.tif

Tim,

More changes from our residents in Milwaukee. See page 3 of the attached Fax (if you can't open it, let me know). They want to ensure that guests are able to park.

HOpefully this is the last change.

Thanks!

Tara Vasby

Leg. Assistant

Rep. Jon Richards

**LEGAL AID SOCIETY OF MILWAUKEE, INC.**

229 East Wisconsin Avenue, Suite 200

Milwaukee, Wisconsin 53202-4231

Telephone (414) 765-0600

Fax: (414) 291-5492

***FACSIMILE COVER SHEET***  
***ADMINISTRATIVE FAX: 414-291-5492***

If all pages are not received or illegible, please call Veronica Vasko  
Legal Aid Society of Milwaukee, Inc.  
414-291-5482, Ext. 125

**Number of pages (including cover): 3****Date: December 18, 2002****Recipient(s)****Tara Vasby****Fax No(s).****608-282-3619****From: James Walrath****Message:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*The information in this facsimile is intended only for the personal and confidential use of the designated recipient(s) named above. This message may be an attorney-client communication, and as such, be privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the facsimile to us by mail. Thank you.*

## 2003 - 2004 LEGISLATURE

LRB-0254/3

TNF:kmg:rs

**2003 BILL**

1 **AN ACT** *to create* 349.13 (1k) of the statutes; **relating to:** the parking of vehicles  
2 on highways in 1st class cities.

---

***Analysis by the Legislative Reference Bureau***

Current law, with certain exceptions, permits state and local highway authorities to prohibit or restrict the stopping, standing, or parking of vehicles on highways under their jurisdictions. This bill permits any first class city (presently only Milwaukee) to enact an ordinance permitting only persons whose residences abut a highway (or any portion thereof) under the city's jurisdiction, and commercial enterprises providing services to these residences, to park their vehicles on the highway or portion thereof abutting their residences, regardless of any prohibitions or time limitations on parking. The ordinance may include a provision requiring such persons with abutting residences to obtain a parking permit from the city and pay a fee for the permit.

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3 **SECTION 1.** 349.13 (1k) of the statutes is created to read:  
4 349.13 (1k) Notwithstanding subs. (1g) and (1j), the common council of any 1st  
5 class city may enact an ordinance that authorizes only persons whose residences

2003 - 2004 Legislature

- 2 -

LRB-0254/3

TNF:kmg:rs

SECTION 1

**BILL***their guests*

1 abut a highway or portion thereof under the city's jurisdiction, for commercial  
2 enterprises providing services to such residences, to park their vehicles on such  
3 highway or portion thereof abutting their residences, without regard to prohibitions  
4 or time limits posted. The ordinance may include a provision requiring persons  
5 whose residences abut the highway or portion thereof to obtain a parking permit  
6 from the city and pay a parking permit fee.

7

(END)

*for themselves and their guests*

## 2003 - 2004 LEGISLATURE

4 (Redraft makes has  
LRB-0254/8 been run)  
TNF:kmg:rs

WANTED  
THURS. 12/19

## 2003 BILL

- 1 AN ACT *to create* 349.13 (1k) of the statutes; **relating to:** the parking of vehicles  
2 on highways in 1st class cities.

*Analysis by the Legislative Reference Bureau*

Current law, with certain exceptions, permits state and local highway authorities to prohibit or restrict the stopping, standing, or parking of vehicles on highways under their jurisdictions. This bill permits any first class city (presently only Milwaukee) to enact an ordinance permitting only persons whose residences *these* abut a highway (or any portion thereof) under the city's jurisdiction, and commercial enterprises providing services to these residences, to park their vehicles on the highway or portion thereof abutting ~~these~~ residences, regardless of any prohibitions or time limitations on parking. The ordinance may include a provision requiring such persons with abutting residences to obtain a parking permit from the city and pay a fee for the permit. *and their guests*

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

- 3 SECTION 1. 349.13 (1k) of the statutes is created to read:  
4 349.13 (1k) Notwithstanding subs. (1g) and (1j), the common council of any 1st  
5 class city may enact an ordinance that authorizes only persons whose residences

The permit may be used only by permittees and their guests.

and guests of  
such persons

LRD-0254/3

TNF:kmg:rs

SECTION 1

**BILL**

such

- (1) abut a highway or portion thereof under the city's jurisdiction, or commercial  
(2) enterprises providing services to such residences, to park their vehicles on such  
(3) highway or portion thereof abutting ~~their~~ residences, without regard to prohibitions  
(4) or time limits posted. The ordinance may include a provision requiring persons  
(5) whose residences abut the highway or portion thereof to obtain a parking permit  
(6) from the city and pay a ~~parking permit~~ fee. to the city for the permit  
(7) to (END) parking

only  
that may be used by such  
persons and their guests

D-NOTE

LRB-0254/4dn

TNF: *Kmg*:

DRAFTER'S NOTE

please italicize

This redraft permits guests of persons with  
abutting residences to also park their vehicle.

This redraft does not require each guest to  
obtain any required parking permit <sup>a</sup> guest may  
use the parking permit obtained by the resident.

TNF

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0254/4dn  
TNF:kmg:cph

December 18, 2002

This redraft permits guests of persons with abutting residences to also park their vehicle. This redraft does *not* require each guest to obtain any required parking permit; a guest may use the parking permit obtained by the resident.

Timothy N. Fast  
Senior Legislative Attorney  
Phone: (608) 266-9739  
E-mail: [tim.fast@legis.state.wi.us](mailto:tim.fast@legis.state.wi.us)



**Mentkowski, Annie**

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**From:** Vasby, Tara  
**Sent:** Tuesday, January 07, 2003 12:01 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB-0254/4 Topic: Parking in city of Milwaukee

It has been requested by <Vasby, Tara> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-0254/4 Topic: Parking in city of Milwaukee